

04-24-01

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04/23/01  
jc961 U.S. PTO

Docket No: AM100123  
Patent

jc962 U.S. PTO  
09/840485  
04/23/01

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, DC 20231

NEW APPLICATION FOR TRANSMITTAL

Transmitted herewith for filing is the patent application of the following Inventor(s):

**Rocky Barry BIGBIE**  
**Terry Kaleung NG**  
**Joseph Wilson WHALEN, Jr.;**

For: **EQUINE PROTOZOAL MYELOENCEPHALITIS VACCINE.**

1. Papers enclosed which are required for a filing date under 35 CFR 1.53(b):

- ☒ Pages of specification – **22** pages
- ☐ Sequence Listing – 0 pages on:
  - ☐ CD Rom or CD-R (2 copies); or
  - ☐ paper
- ☒ Pages of claims – **7** pages
- ☒ Page(s) of abstract – **1** pages
- ☐ Sheets of drawing –                      pages
  - ☐ Formal
  - ☐ Informal

2. Additional papers enclosed

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Computer Readable Form of Sequence Listing
- ☐ Declaration Under 37 CFR 1.821(f)
- ☐ Other:

3. Declaration

- ☒ Enclosed and executed by all inventor(s)
- ☐ Not enclosed or not executed by all inventor(s)

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 596537830** addressed to the Commissioner for Patents, Box PATENT APPLICATION, Washington, DC 20231.

April 23, 2001  
Date

Cecilia Chessell  
Cecilia Chessell

4. Assignment

An assignment of the invention to:

American Home Products Corporation  
Five Giralda Farms  
Madison, NJ 07054-0874

- ☐ was made in the prior application and recorded in PTO on \_\_\_\_\_, Reel \_\_\_\_\_, Frame \_\_\_\_\_
- ☒ is attached under separate Recordation Form Cover Sheet.
- ☐ will follow.

5. Filing Fee Calculation

CLAIMS FEE				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA x RATE		(4) BASIC FEE
				\$710.00
TOTAL CLAIMS	25	5	x \$ 18.00	90.00
INDEPENDENT CLAIMS	6	3	x \$ 80.00	240.00
MULTIPLE DEPENDENCY FEE			\$ 270.00	
		Total Filing Fee:		\$1,040.00

6. Method of Payment of Fees:

Charge Deposit Account No. **01-1425** in the amount of **\$1,040.00**.

A duplicate of this transmittal is attached.

7. Instructions as to Overpayment:

Credit any overpayment to Deposit Account No. **01-1425**.

8. General Authorization:

During the pendency of this application treat any reply requiring a petition for extension of time for its timely submission as containing a request therefor for the appropriate length of time. The Commissioner is hereby authorized to charge all required extension of time fees during the entire pendency of this application to Deposit Account No. 01-1425.

9. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 01-1425
- ☒ 37 CFR 1.16(a), (f), or (g) filing fees
- ☒ 37 CFR 1.16(b), (c), and (d) presentation of extra claims
- ☒ 37 CFR 1.16(e) surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application.
- ☒ 37 CFR 1.17 application processing fees

10. Relate back (35 USC 119(e))

- ☒ Amend the Specification by inserting before the first line the sentence:

—This application claims priority from copending provisional application(s) serial number 60/199,435 filed on April 25, 2000 and provisional application serial number 60/278,695 filed on March 26, 2001.—

11. REQUEST AND CERTIFICATION UNDER 35 U.S.C 122(b)(2)(B)(i).

- ☐ A request not to publish this application and certification under 35 U.S.C. 122(b)(2)(B)(i) is attached.

12. Correspondence Address and Telephone Number

SEND CORRESPONDENCE TO:

Customer Number: 25291

Bar Code:



25291

PATENT TRADEMARK OFFICE

DIRECT ALL TELEPHONE CALLS TO:

Name: **Adley F. Mandel**

Tel. No. (973) 683-2133

13. ☒ Return Receipt Postcard is attached.

**Adley F. Mandel**

Reg. No. 26,942

American Home Products Corporation  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940-0874  
Tel. No. (973) 683-2133